

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 534

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO PHARMACISTS; AMENDING CHAPTER 17, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1770, IDAHO CODE, TO DEFINE TERMS AND TO PROVIDE CERTAIN LIMITATIONS ON DRUG PRODUCT SELECTION FOR EPILEPSY AND SEIZURE DRUGS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 17, Title 54, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 54-1770, Idaho Code, and to read as follows:

54-1770. LIMITATIONS ON DRUG PRODUCT SELECTION FOR EPILEPSY AND SEIZURE DRUGS. (1) In this section:

(a) "Anti-epileptic drug" means:

(i) A drug used for the treatment of epilepsy; or

(ii) A drug used to treat or prevent seizures.

(b) "Drug product selection" means the selection of a therapeutically equivalent drug, including a generic version for the prescribed brand, a branded version for the prescribed generic, a generic version by one (1) manufacturer for a generic version by a different manufacturer.

(c) "Epilepsy" means a neurological condition characterized by recurrent seizures.

(d) "Seizure" means an acute clinical change secondary to a brief disturbance in the electrical activity of the brain.

(2) When a prescriber has specified that a drug is prescribed for the treatment of epilepsy or seizures, pharmacy personnel shall not perform drug product selection unless the pharmacy personnel has:

(a) Sent notification of such drug product selection via facsimile, telephone message or any other appropriate means to the prescriber's place of business; and

(b) Provided the patient or the patient's representative with notification of the selection.